## LOCAL AND LEGISLATIVE SECRETARIAT.

### Establishments under Local Bodies.

READ—

Resolutions Nos. XXIV and XXV of the Local Self-Government Conference of 1923:—

"XXIV. That ordinarily no official borne on the establishment of a Minor or Town Municipal Council or on the establishment of the Local Boards should be retained in the same Municipal or Local Board office for more than three years and that in no case should the period exceed five years and that a list of officials in Municipal service who have completed three years' service should be sent periodically to the Deputy Commissioner of the District for effecting their transfer from one establishment to another, that as regards the officials of the District Board President's Office drawing a pay of Rs. 40 and upwards the list may be sent to Government for transfer of officials from one District Board to another District Board."

"XXV. That, with a view to prevent deterioration of the service for want of openings for promotion, such of the Local Fund Head Clerks as possess the prescribed qualifications be included in the list of candidates eligible for Amildari."

ORDER NO. L. 6129-6192—ML. 145-24-52, DATED 19TH FEBRUARY 1925.

The Local Self-Government Conference of 1923 in their Resolution No. XXIV recommended that the employees of Local Bodies should be compulsorily transferred after they have put in a definite period of service in any one station. The question was considered at length at the Dasara Session of the Representative Assembly of 1924 and the sense of the Assembly was that the Menial Staff need not be transferred from place to place and that only officials lent from Government Offices should be employed by the Local Bodies, as far as possible, in order to facilitate transfers of officials of Local Bodies to the General and Revenue Departments and *vice versa*. Though the proposal involves a curtailment of the powers of the Local Bodies and their Presidents to a considerable extent, Government accept generally the policy recommended by the Local Self-Government Conference and the Representative Assembly in view of the benefits resulting from its adoption and they are pleased to lay down the following rules in the matter:—

(1) As a general rule, only officials in Government service will be employed by District Boards, Local Boards and Town and Minor Municipal Councils for all non-gazetted executive and clerical appointments under them but the application of these rules shall not extend to—

(*a*) the menial and non-pensionable establishments such as attenders, peons daffedars, dalayats, sweepers, toties, scavengers, etc.,
(*b*) pound-keepers,
(*c*) Sub-Registrars of births and deaths,
(*d*) Conservancy Overseers and Maistries, and
(*e*) such other appointments as Government may, from time to time, exempt from the operation of these rules.

(2) For purposes of recruitment and promotion, service in appointments under District Boards, Local Boards and Town and Minor Municipal Councils to which Rule (1) extends shall be treated as part of Government service and all Government servants will be liable to be posted for employment under the said Local Bodies.

(3) The Presidents of the local bodies concerned are competent (with the concurrence of the Local Bodies when it is required), to select the officials required for employment under them as noted below and apply to the authorities empowered to sanction the loan of such officials under rule (4).

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| For technical and professional appointments. | From the officials of the State Departments concerned. |
| For Sanitary Inspectors. | From Inspectors of Panchayets and other Sanitary Inspectors under Local Bodies. |
| For Vaccinators. | From Vaccinators under Local Bodies. |
| For other appointments. | From officials in the Revenue Department. |

(4) The following are the authorities empowered to sanction the loan of officials on requisition from Presidents of Local Bodies under Rule (3) above :—

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| 1. Heads of Departments concerned other than the Revenue Commissioner. | For appointments of a technical or professional nature. |
| 2. Deputy Commissioners. | For appointments of—<br>(a) Sanitary Inspectors and Vaccinators and<br>(b) other officials on pay within the powers of his appointment. |
| 3. Revenue Commissioner. | For all higher appointments. |

(5) When the official selected cannot be spared in the interests of general service, the President may make another selection and the authority empowered to sanction the loan of services of officials will as far as possible, comply with the demands of Presidents.

(6) The loan of officials to Local Bodies will generally be for a period of three years at the end of which period the official should either be re-transferred to the general service or transferred to another Local Body. In special cases however, it will be open to the Presidents of Local Bodies to recommend the retention of competent men in the same office for another period of three years. As regards transfers within the period of three years, the rule may be relaxed in special cases or under special circumstances when it is considered necessary to transfer in the interests of the service of the Local Body concerned any official so lent. When a lent officer gets promotion in his department a pay higher than under the Local Body, he will revert to the former departments.

(7) Lent officials may be suspended, reduced or dismissed only by the authorities sanctioning the loan of their services; but Presidents of Local Bodies may, in cases deserving such punishments, make their recommendation to the authority concerned who will take such action in the matter as may be necessary either to give effect to the recommendation, or when he differs from such recommendation, to submit for the orders of the Government, the case with his own opinion.

(8) Presidents of Local Bodies may fine lent officials up to Rs. 5.

(9) Presidents may grant privilege or any other kind of leave at the credit of the official for a period not exceeding four months and make temporary arrangements for carrying on the duties of the official on such leave.

(10) Leave exceeding four months shall be granted, the vacancy being filled up in the manner prescribed in the aforesaid rules, by the authority empowered to grant the loan of the services of the official.

(11) Leave and pensionary allowances of lent officials during the period of their leave while serving under Local Bodies will be regulated by the provisions of the Mysore Service Regulations relating to the subject.

(12) Existing officials in the service of Local Bodies who are duly qualified may be taken to Government service. In the case of those not so qualified, the Deputy Commissioners may transfer them from one Local Body to another with the consent of the Presidents concerned, and if such officials are inefficient and their retention in service is not deemed desirable they may be discharged after due notice by the Local Body concerned.

2. In order to facilitate the interchange of Government officials with those under Local Bodies, Government consider it necessary that the scale of pay of appointments under Local Bodies should be revised and made uniform so that they may run parallel to those in force in the Revenue and other Departments concerned. The Deputy Commissioners are requested to submit, after consulting the Presidents of Local Bodies, suitable proposals for re-organising the establishment under Local Bodies.

3. To give effect to the rules prescribed in para (1) above, the Municipal and the Local Boards Regulations will be suitably amended.

4. No orders are called for on Resolution No. XXV of the Local Self-Government Conference as the appointment of Local Fund Head Clerks will be recruited in future from Government officials of the Revenue Departments.

B. NAGAPPA,
*Secretary to Government,*
*Local and Legislative Departments.*

## Rules for the Conduct of Legal Affairs of Government.

READ—

Rules for the conduct of the legal affairs of Government issued in G. O. No. P. 4966-5045—Cts. 76-23-1, dated the 10—19th March 1924.

2. Letter No. 856, dated the 24th June 1924, from the Government Advocate in Mysore, stating that the new rules have prejudicially affected his status, independence and emoluments and requesting reconsideration of the rules.

ORDER NO. P. 4400-65—CTS. 19-24-5, DATED 19TH FEBRUARY 1925.

The Government Advocate represented that—

(1) The new rules issued with the Government Order read above have reduced the position of the Government Advocate from being the Chief Law Officer of Government to that of a subordinate to a Secretariat Officer.

(2) He has been deprived of the fees for conducting Civil and Miscellaneous cases in the Chief Court and he is also debarred from taking up criminal cases in which Government is not a party and public interests are not involved.

(3) The scale of fees fixed for his remuneration in cases in which he is entitled to fees is very low as compared with those of the British Indian Provinces.

(4) Rule 18 (2) limiting the period of appointment to 3 years is not applicable to him since no time limit was fixed when he was appointed.

Government have considered carefully all these points and are pleased to direct that the following modifications in the Rules for the Conduct of the Legal Affairs of Government be made—

(1) Delete Rule 2.

(2) For Rule 7—read as follows:—

"In matters connected with Civil Justice, the Secretary to Government, Local and Legislative Departments, will be responsible to Government to see that suitable arrangements for the conduct of all suits, appeals and proceedings affecting Government are made."

(3) For Rule 13—read as follows:—

"The Secretary, Local and Legislative Departments, may attend courts for the purpose of watching the conduct of any case, Civil or Criminal, on behalf of Government."

(4) Include Rule 22 in the exceptions mentioned in Rule 35 (1).

(5) As regards the term of office, Government see no reason to alter the rule.

(6) Separate orders will issue as regards the question of raising the existing scale of fees.

B. NAGAPPA,
*Secretary to Government,*
*Local and Legislative Departments.*

## Printing of Records in Civil Appeals.

READ—

Subject No. 104 of Dasara Session of Representative Assembly of 1922, regarding the reduction of printing charges of records in appeals before the Chief Court by attaching a small printing establishment to the Chief Court from the Government Press.

2. Letter No. D. Dis. 122—22-3, dated 21st March 1923, from the Registrar, Chief Court stating that if the printing is entrusted to the Government Press and the work done under the supervision of the Chief Court, it will be unnecessary to insist upon parties filing copies of records and to this extent the cost will be lessened.

3. Unofficial opinion dated 9th May 1923, from the Superintendent, Government Printing stating that if the Chief Court can make an annual grant of Rs. 5,000 to the Government Press, a special establishment consisting of proof readers can be entertained and the work done in the Government Press and that it is not possible at present to equip a separate press as the initial outlay is very great.

4. Letter No. R O C 1525—22-3, dated 23rd June 1923, from the Registrar, Chief Court stating that though the average fees realised by the Chief Court work up to Rs. 5,700 per annum and the amount of Rs. 5,000 required by the Superintendent, Government Printing is much less it will not be possible to guarantee it as the quantity of matter

to be printed will depend on the number and nature of appeals and that if Government decide to entrust the work to the Government Press, the fees realised may be credited to Government with provision for expenditure and submitting an outlines of a scheme as follows :—

1. Proof reading (as is now done by private presses) to continue to be done entirely by the Government Press and not by the Chief Court staff ;
2. Records should be printed with reasonable promptness, so that the work in the Chief Court may not be hampered or delayed by delays in the press;
3. Adequate precautions should be taken to ensure the safety of the original records entrusted to the Government Press;
4. Ten copies (or as many more as are required at the rates paid to private presses for extra copies) should be supplied;
5. Except in regard to technical details, the work should be done under the general supervision and instructions of the Registrar, Chief Court.

5. Letter No. 2556, dated 28th January 1924, from the Superintendent, Government Printing, stating that if a recurring grant of Rs. 5,000 is made annually, the work will be done in the Government Press by opening a special section and entertaining a special establishment and that a fee at the rate of Rs. 1-2-0 per page of solid matter and Rs. 1-6 0 per page of tabular matter may be recovered from the parties.

ORDER NO. P. 4487-90—CTS. 161-22-11, DATED 20TH FEBRUARY 1925.

Government observe that the fees realised from the parties for printing records in Civil appeals cover the cost of printing and direct that the printing of records in appeals be entrusted to the Government Press, and that a sum of Rs. 5,000 may be provided for in the Press Budget, for opening a special section and entertaining a special establishment for the purpose. The parties may be charged at the rate of Rs. 1-2-0 per page of solid matter and Rs. 1-6-0 per page of tabular statement and the amount realised credited to the Press Department.

2. The outlines of the scheme sent by the Registrar, *vide* paragraph 4 of the preamble, are generally approved and he is requested to submit a detailed set of rules in consultation with the Superintendent, Government Printing, in the matter.

3. The scheme may be tried tentatively for a year after the rules called for in the above are approved by Government.

B. NAGAPPA,
*Secretary to Government,*
*Local and Legislative Departments.*

## RAILWAY SECRETARIAT.

### Training of Students as Drivers on Mysore Railways.

READ —

Government Order No. R. S. 1161-67—Ry. F. 39 E. 24-25, dated 19th December 1924, according sanction to the scheme for training students as Apprentice Drivers on Mysore Railways.

2. Letter No. 248, dated 3rd—4th February 1925, from the Agent, Mysore Railways, forwarding, for orders of Government, a copy of letter No. E. 828, dated 19—20th January 1925, from the Loco and Carriage Superintendent, Mysore Railways, in regard to the training of Mechanical Engineering School Students as Junior Drivers and offering his views in the matter.

ORDER NO. R. S. 1601-607—RY. F. 39 E-24-25, MYSORE DATED 23RD FEBRUARY 1925.

Government are pleased to approve of the proposal of the Agent, Mysore Railways, to boys who have finished their course at the School of Engineering, Bangalore, being allowed to apply on the same conditions as students who have completed their first year at the College of Engineering, Bangalore.

2. Para 3 of the Scheme sanctioned in the Order, dated 19th December 1924, read in the preamble is accordingly amended as under :—

"The qualification required for training will be that the candidate should possess a fair knowledge of English and should have completed the first year in the College of Engineering, Bangalore, or finished his course at the School of Engineering, Bangalore."

C. DOVE-WILSON,
*Secretary for Railways,*
*Government of Mysore.*